GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PSs – Education (SE) Department – Sri D. Malyadri, the then ASPD, SSA and presently working as Finance Officer, AP State Skill Development Corporation - Departmental proceedings under Rule 20 of APCS (CCA) Rules-1991- Articles of Charges – Issued.

x-x-x-

6. Attention of Sri D. Malyadri, the then ASPD, SSA and presently working as Finance Officer, AP State Skill Development Corporation is invited to Rule 24 of the A.P.C.S. (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings it will be presumed that Sri D. Malyadri is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the APCS (Conduct) Rules, 1964.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B. RAJSEKHAR
PRINCIPAL SECRETARY TO GOVT.

To
Sri D. Malyadri, the then ASPD, SSA and presently working as Finance Officer, AP State Skill Development Corporation, through Director of Treasuries and Accounts, Vijayawada.
The Director of Treasuries and Accounts, AP, Ibrahimpatnam, Vijayawada.
Copy to:
The SPD, SSA, AP, Vijayawada.

/ FORWARDED:: BY ORDER //

SECTION OFFICER

File No.ESE01-SEDN0SPD/127/2020-VIG

GO RT/182/2021/ESE01-Human Resources (School Education)

ANNEXURE — I

Statement of Article of Charges framed against Sri D. Malyadri, the then ASPD, SSA, AP and presently working as Finance Officer, AP State Skill Development Corporation :

That Sri D. Malyadri, S/o Rama Rao, joined in Treasury Department on 19.01.1998 as Assistant Treasury Officer and worked in the O/o Director of Treasuries, A.P., Hyderabad. He was promoted as Deputy Director on 10.12.2004 and worked at District Treasury Office at Kurnool. Later, he was promoted as Joint Director on 05.07.2010 and worked at NTR Health University, AP. He worked as CEO, ZP, Kadapa from 2012 to 2015. He worked as Finance Controller (Joint Director post) at SSA, AP, Vijayawada from 2015 to 2016 and while working as Finance Controller, SSA, AP, he has committed the following grave misconduct in as much as:

Charge

Sri D. Malyadri, the then ASPD, SSA, AP, involved in removal of the 1st price list communicated by the Government to them in the note file and intentionally included the revised/2nd price list that was received un-officially without mentioning any reason in the note file for excluding the 1st price list and including the 2nd price list. Perusal of the note file also revealed that, Para No.10 at page 4 of note file that contained the name of the product, name of the publisher, offer price and the opinion of the Committee of SCERT, was struck off and the para numbers in the note file were modified for the remaining pages and involved in the aforesaid tampering of the records which is also a very serious lapse.

Thus. Sri D. Malyadri, the then ASPD, SSA, AP, by his above-mentioned acts, failed to show devotion to duty to maintain absolute integrity, discipline, impartiality and a sense of propriety and also failed to act otherwise than in his best judgment in the performance of his official duties and thereby violated Rule 3 (1) & 3(4) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

B Rajsekhar I A S
Principal Secretary To Government

SECTION OFFICER

ANNEXURE — II

Statement of imputations of misconduct in support of the Article of Charges framed against Sri D. Malyadri, the then ASPD, SSA, AP and presently working as Finance Officer, AP State Skill Development Corporation :

That Sri D. Malyadri, S/o Rama Rao, joined in Treasury Department on 19.01.1998 as Assistant Treasury Officer and worked at O/o Director of Treasuries, A.P., Hyderabad. He was promoted as Deputy Director on 10.12.2004 and worked at District Treasury Office at Kurnool. Later, he was promoted as Joint Director on 05.07.2010 and worked at NTR Health University, AP. He worked as CEO, ZP, Kadapa from 2012 to 2015. He worked as Finance Controller (Joint Director post) at SSA, AP, Vijayawada from 2015 to 2016. Presently, Sri D. Malyadri, Joint Director, O/o Director of Treasuries, Vijayawada, is working as Finance Officer, in AP State Skill Development Corporation. Sri D. Malyadri will attain the age of superannuation on 31.01.2029. He is here in after referred as Govt., servant.

Charge

The Government Servant involved in removal of the 1st price list communicated by the Government to them in the note file and intentionally included the revised/2nd price list that was received un-officially without mentioning any reason in the note file for excluding the 1st price list and including the 2nd price list. Perusal of the note file also revealed that Para No.10 at page 4 of note file that contained the name of the product, name of the publisher, offer price and the opinion of the Committee of SCERT was struck off and the para numbers in the note file were modified for the remaining pages and involved in the aforesaid tampering of the records which is also a very serious lapse.

That a Regular Enquiry has been conducted vide R.C.No.61/RECIU/2017 of ACB, A.P., Vijayawada on the allegations that the Sarva Siksha Abhiyan, Andhra Pradesh placed orders for supply of books for primary and upper primary schools of Government of Andhra Pradesh from M/s. Dream World India, Bangalore and for certain irregularities found in the procurement process and that offer prices in the catalog were different from the prices at which the books were ordered by the concerned officials of Siksha Abhiyan, Andhra Pradesh.

During ACB enquiry, Sri Nookarapu Srinivas, Lecturer (outsourcing) in State Institute of Educational Management and Training (SIEMAT) wing stated that the file related to supply of books to Govt. schools from Dream World India Bangalore was started during the working period of Smt. Sailaja a Superintendent. One day, Smt. Sailaja went to the chamber of Govt. servant an came back to SAMO section. Smt. Sailaja told him that "మాల్యాద్రి సర్ పిలిచి డ్రీం వర

ఇండియా నోట్ ఫైల్ చూసి కొట్టేసి అందరికి ఇచ్చిన మాదిరిగానే 30 శాతం డిస్కౌంట్ చేసి మరల పంపించండి.". Later Smt. Sailaja requested him to prepare table showing 30% discount on books. He prepared table showing 30% discount on books and gave a soft copy of that table to Smt. Sailaja. Smt. Sailaja prepared a note file pertaining to M/s. Dream World India basing on the given table. Before sending that note file to the higher officials, Smt. Sailaja requested him to sign on the note file as he had prepared table showing 30% discount on books as instructed by her. He signed on that note file and gave it to her.

As per the statement of Smt. M.V. Rajya Lakshmi, the then State Academic Monitoring Officer (SAMO) at SSA, AP, while in circulation, page No. 4 of note file had different prices & percentage of discount and it was found struck off. She presumed that two note files had been processed regarding M/s. Dream World India as many page numbers were found altered/manipulated and some papers were also found missing from the note file. Sri Nookarapu Srinivas of SIEMAT told her that he had processed the note file on the instructions of Govt. servant. Smt. M.V. Rajya Lakshmi added that the Govt. servant and the SPD (State Project Director) i.e. Sri G.Srinivasulu, IAS had knowledge about the aforesaid prices. Govt. servant had caused missing of some pages of that note file. She added that the file pertaining to the supply of books, DVDs & CDs by Dream World India, Bangalore was processed by her initially on 01.12.2015. As per the note approval of Para (4), Para No (1), letter dated 01.12.2015 was sent to Director, SCERT for study and evaluation of books and furnishing of feedback report. But the connected page was not found / found to be missing.

The explanation of SPD, Sri G.Srinivas, IAS revealed that he had asked the Govt. servant regarding the alterations/manipulations in the note file i.e. para no. 10 at page 4 of the note file that was struck off and the Govt. servant replied that it was a typographical error, so it was struck off.

As per the statements of Sri T. Guru Murthy and Sri A.S. Rajan, they had noticed, during the verification of the relevant file, the Para No.10 at page 4/note file was struck off. The said page contained name of the product, name of the publisher, offer price and the opinion of the Committee of SCERT. Sri N.Srinivas, Lecturer, SIEMAT stated that Mrs. Sailaja, the then Superintendent, SAMO Section was responsible for striking off the above said para.

Reply dated 11.02.2019 of file No.SSA15024/71/2018-SAMO-SSA of SPD, SSA, AP revealed that the note file pertaining to M/s. Dream World India, Bangalore was initiated on 01.12.2015 by Smt. Sailaja Bai, Section Superintendent and from 01.07.2012 to 02.09.2016, Smt. Sailaja Bai, Superintendent was the custodian of that note file pertaining to M/s. Dream World India, Bangalore.

From the above, it is clear that the Govt. Servant of SSA, State Office, AP, intentionally misled to retain the 1st price list communicated by the Government to them in the note file and they intentionally included the revised/2nd price list that was received un-officially without mentioning any reason in the note file for excluding the 1st price list and including the 2nd price list. Perusal of the note file also revealed that Para No.10 at page 4 of note file that contained the name of the product, name of the publisher, offer price and the opinion of the committee of SCERT was struck off and the para numbers in the note file were modified in the remaining pages.

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Thus, the Govt. servant Sri D. Malyadri, by his above-mentioned acts, failed to show devotion to duty, to maintain absolute integrity, discipline, impartiality and a sense of propriety and also he failed to act in the best of his judgment in the performance of his official duties and caused loss to the Government funds and thereby violated Rules 3 (1) & 3(4) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Thus, the government servant Sri D.Malyadri, S/o Rama Rao, Aged 52 yrs, Joint Director, O/o Director of Treasuries, Vijayawada now working as Finance Officer, AP State Skill Development Corporation has therefore rendered himself liable for regular departmental action for major penalty.

B Rajsekhar I A S
Principal Secretary To Government

SECTION OFFICER

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ANNEXURE — III

List of document s in support of Charges proposed to be sustained

1	Original Note file vide C.No. 85/SSA/A3/2015 with regard to supply of Educational books, DVDs & CDs to all Government schools, colleges and libraries in Andhra Pradesh maintained at the office of the SPD, SSA, AP.
2	First Enquiry Report(Detailed Factual Report) vide ref. 85/A3/SSA/15 submitted by Sri T. Guru Murthy and Sri A. Rajan.
3	Second Enquiry Report(Detailed Factual Report) vide ref. 85/A3/SSA/15 submitted by Sri T. Guru Murthy and Sri A. Rajan.
4	Statement of Sri N. Srinivas, Lecturer in SIEMAT, Samagra Siksha, AP.
5	Statement of Smt. S. Sailaja Bai, the then Superintendent, SAMO Section, Sarva Siksha Abhiyan, AP, Vijayawada.
6	Statement of Smt. M.V. Raja Lakshmi, formerly State Academic Monitoring Officer, SSA, AP.
7	Any other documents to be filed at the time of enquiry.

B Rajsekhar I A S
Principal Secretary To Government

SECTION OFFICER

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ANNEXURE — IV

List of witnesses in support of charges proposed to be sustained

1	Sri Pullelugula Srinivasa Rao S/o late Sri P. Chennaiah, Superintendent, SSA, AP.	He speaks about the facts of note file pertaining to M/s Dream world india Bangalore.
2	Sri T. Guru Murthy, Planning Coordinator, SSA, AP.	They speak about verification of note file and finding of Para No.10 at para No.4 was struck off. When they enquired it was revealed that Govt. servant and Sailaja Bai were responsible and submitted their reports to the SPD, SSA, AP.
3	Sri A. S Rajan (Retd) Audit Officer, Indian Audit and Accounts Department, O/o Principal Accountant General (Audit) Hyderabad.	
4	Sri N. Srinivas, Lecturer in SIEMAT, Samagra Siksha, A.P.,	To speak to the contents of his statement
5	TSRK Prasad, DSP, ACB,CIU, Vijayawada	To speak to his enquiry report .
6	Any other witnesses to be Examined at the time of enquiry	

B Rajsekhar I A S
Principal Secretary To Government

SECTION OFFICER